

**ARKANSAS DEPARTMENT OF HEALTH AND HUMAN SERVICES
STATE INSTITUTIONAL SYSTEM BOARD**

Division of Behavioral Health Services
Arkansas Health Center
Benton, Arkansas

Thursday, October 12, 2006

Members Present: Bonnie Coates, Chairman
Micheal Burden, Vice Chairman
Trudi Ramsey
Steve Foti

DHHS Staff Present: Rich Rosen, Attorney, DHHS Office of Chief Counsel
Charles Hicks, DHHS Office of Chief Counsel
Doyle Young, Program Administrator, Division of Youth Services
Sid Thompson, Asst. Director Residential Services, Div. of Youth Services
Pat Dahlgren, Director, Division of Behavioral Health Services
Ed Hood, Facility Administrator, DBHS Arkansas Health Center
Allen Rushing, Director of Maintenance, DBHS Arkansas Health Center
Gary Gipson, Nursing Home Administrator, Arkansas Health Center
Susan Carson, DBHS Arkansas Health Center
Liz Ganahl, Administrative Assistant to DYS Director
Scottie McMurry, Administrative Assistant to DBHS Director

Chairman Bonnie Coates called the meeting to order at 1:35 p.m.

APPROVAL OF MINUTES FROM JULY 13, 2006 MEETING

Mr. Steve Foti made a motion that the minutes of July 13, 2006 meeting be approved as distributed. Ms. Trudi Ramsey seconded the motion. The motion passed.

DIVISION OF BEHAVIORAL HEALTH SERVICES REPORT

The Division of Behavioral Health Services' report had been previously distributed and is attached to the meeting minutes.

Ms. Pat Dahlgren stated she would present part of the Division of Behavioral Health Services report and would then ask Mr. Ed Hood to present the report on the Arkansas Health Center.

Arkansas State Hospital

Ms. Dahlgren began by referring to the sale of property to UAMS the SIS Board approved in return for UAMS building DBHS a new state hospital. A portion of that sale was the administration building. The Division will be moving to what was the Arkansas Partnership Program (APP) building. This building required some work in terms of data lines, light fixtures

and other changes in order to convert patient rooms to office space. The Division is scheduled to move the week of October 23, 2006. Three weeks ago, after a heavy rain, one wing of the building had water leakage. In the process of cleaning the water, mold was discovered in the building. Morris and Associate conducted tests and recommended cleaning. After cleaning, the building was retested and has been approved for use.

Ms. Dahlgren stated mold has also been found on the forensic unit at the Arkansas State Hospital. The experts evaluated the unit and recommended a thorough cleaning due to the high mold count. The mold is from an excess of moisture in the air conditioning system. Plans are to begin the cleaning process October 23rd. As the cleaning process occurs the patients will be relocated to other units. Ms. Bonnie Coates asked if this was the same mold that was discussed a year ago. Ms. Dahlgren replied the mold a year ago was at the Arkansas Health Center. Mr. Ed Hood added that with the use of dehumidifiers and with the dryer air the Arkansas Health Center has not had a problem with mold this year.

Mr. Steve Foti asked the occupancy date of the new hospital. Ms. Dahlgren replied the plan is for the hospital to be ready in the spring of 2008.

Ms. Pat Dahlgren reminded the board the forensic units would continue to be used in conjunction with the new hospital. Ms. Bonnie Coates asked for a definition of a forensic patient. Ms. Dahlgren explained forensic patients by order of the court have either been determined to need treatment to restore them to competency to stand trial for an offense they have been charged with or they have been determined not competent to stand trial and returned to the Arkansas State Hospital for treatment. Mr. Steve Foti asked how many forensic patients were at the hospital. Ms. Dahlgren replied 80.

Ms. Pat Dahlgren reported that the water leaks in unit 4 of the state hospital have been repaired.

Ms. Pat Dahlgren updated the board on the Joint Commission survey. Several problems were cited that had not been cited in earlier surveys, such as, showerheads, spigots, grab bars and pipes under the sinks. These items have been ordered for the forensic units. Because of cost, these items will not be replaced on other units. CMS is holding ASH at a conditional compliance level.

Ms. Bonnie Coates questioned Mr. Dahlgren about doors. Ms. Dahlgren replied information has not been received on which doors need to be replaced. She stated doors will be replaced on units ASH will continue to use in conjunction with the new hospital.

New Hospital Update

Ms. Pat Dahlgren reported the footings have been set on one end of the building. Walls will go up as soon as all the footings are laid. The plumbing and electrical work will begin after the

walls are up. At that point, the construction progress will become more obvious. Ms. Dahlgren offered to host the next board meeting at the new location of DBHS administration. This would allow the board to view the progress on the new hospital.

Arkansas Health Center

Mr. Ed Hood presented the report for the Arkansas Health Center. He stated he hoped the board had enjoyed their lunch and driving tour of the campus before the meeting. Mr. Hood mentioned showing the board the water plant tank that was cleaned and repainted in September. Mr. Hood briefly described the full water treatment system. There are two large pumps at the river site where the water is drawn out of the river. One of those pumps is malfunctioning and needs overhaul. Mr. Hood stated bids are being secured for repair at an estimated cost of \$35,000.

Mr. Ed Hood stated the Arkansas Health Center had a full facility annual survey from the Office of Long Term Care in September. Several issues were cited. Mr. Hood noted asbestos abatement inflates the cost of any repairs. The cost to replace a section of the floor in Willow Court was \$15,000. Mr. Hood stated the entire floor in the kitchen area needs to be replaced. A cost estimate has been requested.

Mr. Ed Hood reported drainage gutters and downspouts were recently replaced on the administration building 7 in efforts to stop the water damage from rains.

Mr. Ed Hood noted the fenced courtyard in front of building 70 has been completed. He stated landscaping work to create a garden area for the building is proceeding. As a result of resident elopement, five additional areas on the campus are being secured with decorative fencing.

Ms. Pat Dahlgren asked the board's permission to present an item not on the agenda. Chairman Coates granted permission. Ms. Dahlgren stated Birch Tree Communities is a private non-profit provider serving patients that are the most seriously mentally ill that can reside outside the hospital. About one and one-half years ago Birch Tree asked DBHS for a letter of support to build a 15-unit apartment complex on property they own adjacent to the AHC. This complex will provide housing for patients. DBHS supported this project and Birch obtained the HUD monies to build the apartments. After receiving the award, Birch Tree discovered they were unable to build on the property due to problems with soil. It would cost a tremendous amount of money to remove the bad soil and put good soil in. The price of construction has also increased since the point in time of the applied housing monies. That being the case, they do not have the funds to purchase additional property for the complex or eliminate the soil problem. Birch Tree approached DBHS requesting to lease property at the Arkansas Health Center for a nominal amount (\$1 or \$10 a year) in order to build the apartment complex. Mr. Ed Hood distributed a drawing (Attachment 1). The location of the property is across the road from the park. Ms. Dahlgren asked for the board's consideration and instructions on how to pursue this matter. Mr. Micheal Burden asked if the site on the AHC campus would work without moving the dirt.

Ms. Dahlgren replied soil samples had been tested and approved for building. Mr. Burden asked about the length of the term of commitment. Ms. Dahlgren replied 99 years. Ms. Coates asked what would happen if Birch Tree closed their operation. Ms. Dahlgren replied that if the property ceased to be used for what it was approved the building would revert back to the Division.

Mr. Micheal Burden made a motion to give the Division of Behavioral Health Services the authority to proceed, negotiate and finalize a lease for property located on the Arkansas Health Center campus to Birch Tree Communities for a nominal amount in order for Birch Tree to build a 15-unit apartment complex to house seriously mentally ill residents. Mr. Steve Foti seconded the motion. The motion was passed.

Arkansas Services Center – Jonesboro

Mr. Charles Hicks stated the DHHS Office of Chief Counsel extensively researched legal documents and agreements of property leased from the Arkansas State University (ASU). (Attachment 2) Several pieces of property are contiguous that DHHS has ownership/lease interest in. Basically there are three tracks of property with the Arkansas Services Center building at the heart of it. There is a strip on the north side of the property that has houses owned by DBHS. In between is a piece of property that was leased 10-years ago. We have 50-years left on the 60-year lease. In two years the lease/bond issue will be up on the building; which has the adjoining parking area. ASU has notified us they want to cancel the 1995 lease on 22.73 acres of the middle piece of property. DHHS Office of Chief Counsel contends that this property is a valuable asset and is asking the board's approval to oppose the cancellation of the lease. Mr. Hicks stated it would be to the State's advantage to maintain hold on the property. Mr. Hicks reported that ASU is taking a position that when that lease is up in two years rather than have the 35 acres we think we are entitled which includes the parking lots and all the adjacent structures ASU is going to argue that we are only entitled to the footprint of that building. Mr. Hick stated DHHS Office of Chief Counsel thinks this is clearly an incorrect interpretation.

Mr. Micheal Burden made a motion to oppose the cancellation of the 1995 lease of 22.73 acres from the Arkansas State University (ASU). Mr. Steve Foti seconded the motion. The motion passed.

Ray Winder Field

Mr. Charles Hicks reported that DBHS has an undivided approximate 3.35 acres interest in Ray Winder Field. There has been discussion regarding this property since the Arkansas Travelers will be moving to a new stadium. The Governor and the Department of Health and Human Services are asking the SIS Board to help protect the state's interest in this property. Mr. Hicks proposed a 50-year right of first refusal to a sister state agency, War Memorial Commission. War Memorial would have the first right of refusal with DBHS retaining the decision on the

highest and best use of the property and any funds derived from this property. Mr. Hicks asked the approval of the board to allow the Arkansas Building Authority, leasing agent for the state, to enter into a 50-year right of first refusal agreement with War Memorial Commission.

Mr. Steve Foti informed the board that the city of Little Rock has hired a consultant to look into the development of an entire complex of buildings which includes Ray Winder Field, War Memorial Stadium, Zoo, Golf Course and Park. Mr. Foti has been appointed to the City of Little Rock Steering Committee. He stated this motion would be a way to protect the state's interest.

Mr. Micheal Burden made a motion to allow the Arkansas Building Authority to enter into a 50-year right of first refusal agreement with War Memorial Commission on 3.35 acres of property located at Ray Winder Field. Mr. Steve Foti seconded the motion. The motion passed.

Mr. Micheal Burden made a motion to give Mr. Steve Foti the authority to represent the SIS Board as he serves on the City of Little Rock Steering Committee to protect the interest of the state. Ms. Trudi Ramsey seconded the motion. The motion passed.

DIVISION OF YOUTH SERVICES REPORT

The Division of Youth Services' report had been previously distributed to the Board and is attached to the minutes.

Mr. Doyle Young presented the Division of Youth Services' report.

Mr. Young reported the final report of the operational assessments and evaluations of the master planning documents has not been finalized. As soon as it is available a hard copy will be mailed to the board.

Mr. Young stated DYS has investigated possible sources of additional revenue from oil and gas drilling. The result of the investigation determined the Mansfield facility site is not located near enough to the exploration area and therefore not feasible for drilling or mining.

Alexander Juvenile Correctional Facility

Mr. Young reported the waste water sewage treatment pond has been removed. Documentation has been provided to the Arkansas Department of Environmental Quality for a final inspection.

Mansfield Juvenile Treatment Center

Mr. Young stated the master plan document indicates the facility needs to be replaced. However, there is an ongoing fire safety issue at the facility. A solution has been reached between the Mansfield Fire Chief and the facility operators. The Division will proceed with the development of plans of new underground water pipes to serve the fire hydrants. DYS will select an on-call architect and use engineering services under that contract.

Dermott Juvenile Corrections Facility

Mr. Young reported repairs had been completed on the hot water system at Dermott. The project required the installation of small hot water heaters to boost hot water temperatures in the cells.

Mr. Steve Foti made a motion to accept the Division of Behavioral Health Services and the Division of Youth Services reports as presented. Ms. Trudi Ramsey seconded the motion. The motion was passed.

NEW BUSINESS

None

OLD BUSINESS

Ms. Pat Dahlgren stated she was asked by John Selig, DHHS Director, to fulfill the role of presenting the SIS Board duties and responsibilities. In 1995, the State Hospital Board and the Arkansas Youth Services Board were abolished and replaced by the current State Institutional Systems (SIS) Board. The SIS Board has responsibility and authority over acquisitions of DHHS institutional land and buildings by sale or lease. The board has the authority to review and furnish advice in relations to actions on property and buildings of the Division of Behavioral Health Services and the Division of Youth Services. The two Divisions advise the board on any renovation or improvements to land and building if the anticipated cost is over \$10,000. The board has the right to set short and long term plans as it relates to the buildings. Chairman Bonnie Coates questioned what is the board's responsibility and to whom does the board answer when they make decisions. Ms. Dahlgren replied that the board is a Governor appointed board so the board's responsibility is to the Governor, but the board operates under the auspice of the Director of the Department of Health and Human Services.

Mr. Micheal Burden stated the need to become proactive instead of reactive in order to find solutions to problems. He asked for input and guidelines from the Divisions. Ms. Dahlgren stated that one of the fallacies of the system is there is not a budget for upkeep of properties. Mr. Steve Foti stated that the board should support the Divisions and get involved with funding from

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the Legislature. Mr. Burden suggested the board should become more outspoken to help the Divisions achieve goals.

NEXT MEETING

The next meeting will be held January 11, 2007 at the new location for the Division of Behavioral Health Services Administration Building at 4800 West 7th Street in Little Rock.

Mr. Michael Burden made a motion to adjourn the meeting and Mr. Steve Foti seconded the motion. Motion passed and the meeting was adjourned at 2:50 p.m.

Respectfully submitted,

Mark Tripp, Secretary